

House File 2045 - Introduced

HOUSE FILE 2045

BY WOLFE

A BILL FOR

1 An Act modifying the threshold damage dollar amounts which
2 constitute the crimes of criminal mischief in the second,
3 third, and fourth degrees.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 716.4, subsection 1, Code 2016, is
2 amended to read as follows:

3 1. Criminal mischief is criminal mischief in the second
4 degree if the cost of replacing, repairing, or restoring the
5 property that is damaged, defaced, altered, or destroyed
6 exceeds ~~one~~ two thousand five hundred dollars but does not
7 exceed ten thousand dollars.

8 Sec. 2. Section 716.5, subsection 1, paragraph a, Code 2016,
9 is amended to read as follows:

10 a. The cost of replacing, repairing, or restoring the
11 property that is damaged, defaced, altered, or destroyed
12 exceeds ~~five hundred~~ one thousand dollars, but does not exceed
13 ~~one~~ two thousand five hundred dollars.

14 Sec. 3. Section 716.6, subsection 1, paragraph a,
15 subparagraph (1), Code 2016, is amended to read as follows:

16 (1) The cost of replacing, repairing, or restoring the
17 property that is damaged, defaced, altered, or destroyed
18 exceeds two hundred dollars, but does not exceed ~~five hundred~~
19 one thousand dollars.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill modifies the threshold damage dollar amounts which
24 constitute the crimes of criminal mischief in the second,
25 third, and fourth degrees. "Criminal mischief" means any
26 damage, defacing, alteration, or destruction of property when
27 done intentionally by one who has no right to so act.

28 The bill changes the threshold dollar amounts to qualify for
29 prosecution for criminal mischief in the second degree from
30 damage exceeding \$1,000 but not exceeding \$10,000 to damage
31 exceeding \$2,500 but not exceeding \$10,000. Criminal mischief
32 in the second degree remains a class "D" felony. A class "D"
33 felony is punishable by confinement for no more than five years
34 and a fine of at least \$750 but not more than \$7,500.

35 The bill changes the threshold dollar amounts to qualify

1 for prosecution for criminal mischief in the third degree
2 from damage exceeding \$500 but not exceeding \$1,000 to damage
3 exceeding \$1,000 but not exceeding \$2,500. Criminal mischief
4 in the third degree remains an aggravated misdemeanor. An
5 aggravated misdemeanor is punishable by confinement for no more
6 than two years and a fine of at least \$625 but not more than
7 \$6,250.

8 The bill changes the threshold dollar amounts to qualify
9 for prosecution for criminal mischief in the fourth degree
10 from damage exceeding \$200 but not exceeding \$500 to damage
11 exceeding \$200 but not exceeding \$1,000. Criminal mischief in
12 the fourth degree remains a serious misdemeanor. A serious
13 misdemeanor is punishable by confinement for no more than one
14 year and a fine of at least \$315 but not more than \$1,875.

15 The bill does not modify the crimes of criminal mischief in
16 the first or fifth degree.

17 By changing the threshold dollar amounts to qualify for
18 prosecution for criminal mischief in the second, third, or
19 fourth degree, the bill also changes the criminal offenses
20 related to crops or crop operation property damage under Code
21 section 717A.3.